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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|---------------------------------|---------------------|---------------------------------|
| 10/502,051 | 07/30/2004 | Takashi Kadowaki | 256653US0PCT | 2505 |
| 22850 | 7590 | 07/26/2007 | | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | | EXAMINER STOICA, ELLY GERALD |
| | | ART UNIT 1647 | | PAPER NUMBER |
| | | NOTIFICATION DATE 07/26/2007 | | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10502051 | 7/30/2004 | KADOWAKI ET AL. | 256653US0PCT |

EXAMINER

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

Elly-Gerald Stoica

ART UNIT PAPER

1647 20070709

DATE MAILED:

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Commissioner for Patents

1. The reply filed on 05/07/2007 is not fully responsive to the prior Office Action because of the following matters: the claims were originally drawn to an insulin resistance improving agent and not a method of improving insulin resistance. The method is a patentably distinct invention from the compound and is not elected by the original presentation. Accordingly, there are no claims pending that are drawn to the elected invention. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

LORRAINE SPECTOR
PRIMARY EXAMINER